

Message Text

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ACTION EB-07

INFO OCT-01 NEA-10 ISO-00 L-03 SS-15 NSC-05 CAB-02 CIAE-00

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FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC PRIORITY 4363

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E.O.11652: N/A

TAGS: EAIR, IR

SUBJ: CIVAIR: DIPLOMATIC NOTE ON AIR TARIFF CONSULTATIONS

REF: TEHRAN 11067

1. EMBASSY HAS RECEIVED DIPLOMATIC NOTE FROM THE LEGAL DEPARTMENT, MINISTRY OF FOREIGN AFFAIRS, ACCEPTING PROPOSED TIMING FOR CONSULTATIONS ON IRAN AIR TARIFFS WITH US AUTHORITIES IN WASHINGTON. NOTE PROPOSES SETTLEMENT OF DIFFERENCES UNDER ARTICLE 13 (SETTLEMENT OF DISPUTES) OF THE AIR TRANSPORT AGREEMENT OF 1973 BETWEEN GOI AND THE US. NOTE FURTHER REFERS TO DISCUSSIONS ON FEBRUARY 1, 1973, ON THE AIR AGREEMENT AT WHICH TIME IRANIAN PARTICIPANTS WERE LED TO BELIEVE THAT THE IRAN AIR DISCOUNT RATE HAD THE TACIT APPROVAL OF THE USG. THE GOI BELIEVES THAT DISCUSSIONS ON THESE DISCOUNT TARIFFS WILL NOT RESULT IN SATISFACTION TO BOTH PARTIES UNLESS ALL OTHER REGULATIONS CONCERNING FLIGHT CAPACITIES AND ROUTES ARE TAKEN INTO CONSIDERATION. THEREFORE THE GOI PROPOSES THAT IN ADDITION TO DISCUSSIONS UNDER ARTICLE 13, DISCUSSIONS SHOULD ALSO BEGIN UNDER PROVISIONS OF ARTICLE 12 TO MODIFY ARTICLES 2 (TRANSIT AND TRAFFIC RIGHTS), ARTICLE 8 (CAPACITY REGULATIONS) AND ARTICLE 10 (AIR TRANSPORT TARIFFS).

2. COMMENT: GOI IS PROPOSING MAJOR MODIFICATIONS OF THE MOST IMPORTANT ARTICLES OF THE AIR AGREEMENT. SUGGEST IT MAY BE USEFUL TO PROPOSE A NEW ARTICLE ON AIR CHARTERS TO RESOLVE

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THE IRAN AIR "NO-OBJECTION" FEE PROBLEM. WE SEE NO LIKELIHOOD

OF CHANGE IN IRAN AIR POSITION AT THIS END, BUT PERHAPS THE
NEGOTIATING TEAM COULD BE PERSUADED TO YIELD ON THIS AT THE
BARGAINING TABLE.
HELMS

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